IN THE HIGH COURT OF JUDICATURE AT BOBBY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 5735 OF 2007

Smt. Sunita Atmaram Waradkar Petitioner

Vs.

Mr. Narayan Pandurang Hedkar & Ors. Respondents

Mr. Y. M. Pendse, advocate for the petitioner.

Mr. Ambar Joshi, advocate for respondent Nos. 1 to 18.

Mr. S. K. More i/b Amol Desai, advocate for respondent No. 19.

CORAM: Smt. NISHITA MHATRE, J.

DATE : SEPTEMBER 11, 2007.

P.C.

. As directed by the order dated 21st August 2007 the petitioner has deposited 50% of the amount directed by the Industrial Court for the period from 1st November 2006 till 12th December 2007.

2. The petitioner has filed the present petition against the interim order passed by the Industrial Court on 7th July 2007. By this interim order, the Industrial Court had directed the petitioner and respondent No. 19 - Kamal Electric Works to deposit 90% of the wages payable to respondent Nos.

1 to 18 for the period from 1st November 2006 to May 2007. According to the petitioner, she has resigned as a partner of the firm Kamal Electric Works, on 13th January 2007, and therefore, she is not liable for any payments to be made to the workers from that date.

3. Since the aforesaid amount has been deposited by the petitioner, in my view there is no need to admit the petition, at this stage against an interim order. However, the interim order is modified to the extent that the petitioner would be liable to pay 50% of the amount upto 12th January 2007. However, I have not expressed any opinion as to whether the petitioner is in fact liable to make any further payments, even after 13th January 2007. The Industrial Court will decide the liability of the petitioner, when the complaint is heard. The counsel for respondent No.19 states that respondent No. 19 will deposit the amount directed by the Industrial Court within six weeks from today.

4. The amount which has been deposited by the petitioner in this Court shall be transferred to the Industrial Court to the account of Complaint (ULP) No. 152 of 2007. The respondent No. 19

shall deposit the amount, as directed by the Industrial Court, in the Industrial Court itself.

5. Petition is disposed off accordingly.

Sd/-

[**Smt.NISHITA MHATRE, J.]**